

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

**State of Texas, et al.,**

*Plaintiffs,*

v.

**United States of America, et al.,**

*Defendants.*

**Case No. 2:24-CV-86-Z**

**NON-PARTY CARROLL INDEPENDENT SCHOOL DISTRICT’S MOTION  
FOR LEAVE TO FILE A RESPONSE IN OPPOSITION TO DEFENDANTS’  
MOTION TO CONSOLIDATE CASES**

Defendants the United States of America, Miguel Cardona, United States Department of Education, Catherine Lhamon, and Randolph Wills (collectively, “the Government”) filed a motion to consolidate (ECF No. 26) this case with *Carroll Independent School District v. Department of Education*, No. 4:24-cv-461-O, which is pending in the Fort Worth Division. The Court directed plaintiffs to file a response by Friday, June 7, 2024. ECF No. 28. Carroll Independent School District (Carroll ISD), plaintiff in the case pending in Fort Worth, respectfully requests leave to file the attached response in opposition to Defendants’ motion.

As explained in the attached response brief, Carroll ISD opposes consolidation because (1) Amarillo is over three hundred miles away from its home venue in Fort Worth and (2) consolidation would not prevent duplication or promote efficiency under the circumstances. Carroll ISD’s brief will aid the Court in determining whether consolidation is warranted.

Neither party to this case opposes Carroll ISD’s request to file a response.

Texas agrees Carroll ISD should be heard. Defendants state that they “take no position on whether Carroll ISD should be permitted to file the proposed response.”

### **PRAYER**

Non-party Carroll ISD respectfully requests that the Court grant its motion for leave and consider the attached response in opposition to Defendants’ motion to consolidate cases (ECF No. 26).

Respectfully submitted this 7th day of June, 2024.

**Tim Davis**

Texas Bar No. 24086142

**Allison Allman**

Texas Bar No. 24094023

**Trevor Paul**

Texas Bar No. 24133388

**JACKSON WALKER LLP**

777 Main Street, Suite 2100

Fort Worth, Texas 76102

Telephone: (817) 334-7200

tdavis@jw.com

aallman@jw.com

tpaul@jw.com

**Jonathan A. Scruggs\***

Arizona Bar No. 030505

**ALLIANCE DEFENDING FREEDOM**

15100 N. 90th Street

Scottsdale, Arizona 85260

Telephone: (480) 444-0020

Facsimile: (480) 444-0028

jscruggs@ADFlegal.org

/s/ Natalie D. Thompson

**Natalie D. Thompson\*\***

Texas Bar No. 24088529

**ALLIANCE DEFENDING FREEDOM**

440 First Street NW, Suite 600

Washington, DC 20001

Telephone: (202) 393-8690

Facsimile: (202) 347-3622

nthompson@ADFlegal.org

**Tyson C. Langhofer\***

Virginia Bar No. 95204

**Mathew W. Hoffmann\***

Virginia Bar No. 100102

**ALLIANCE DEFENDING FREEDOM**

44180 Riverside Pkwy

Lansdowne, Virginia 20176

Telephone: (571) 707-4655

Facsimile: (571) 707-4656

tlanghofer@ADFlegal.org

mhoffmann@ADFlegal.org

### **Counsel for Carroll ISD**

*\*Admitted pro hac vice in Carroll ISD v. Dep’t of Educ., No. 4:24-cv-00461-O*

*\*\*Practice supervised by one or more D.C. Bar members while D.C. Bar application is pending.*

### **CERTIFICATE OF SERVICE**

I certify that on June 7th, 2024, this document was served on all counsel of record via the Court's CM/ECF system.

/s/ Natalie D. Thompson  
Natalie D. Thompson  
**Counsel for Carroll ISD**

### **CERTIFICATE OF CONFERENCE**

On June 3, 2024, I conferred with counsel for the State of Texas and for Defendants regarding Carroll ISD filing a response as a non-party. Texas agrees Carroll ISD should be permitted to file a response to Defendants' motion to consolidate its case with another. Counsel for Defendants stated, "Defendants take no position on whether Carroll ISD should be permitted to file the proposed response."

/s/ Natalie D. Thompson  
Natalie D. Thompson  
**Counsel for Carroll ISD**

### **CERTIFICATE REGARDING JUDGE-SPECIFIC REQUIREMENTS**

I, the undersigned attorney, hereby certify that I have read and will comply with all judge-specific requirements for Judge Matthew J. Kacsmarky, United States District Judge for the Northern District of Texas.

I further certify that no portion of this filing has been drafted by generative artificial intelligence I understand that as the attorney signing this, I will be held responsible for the contents thereof according to applicable rules of attorney discipline.

/s/ Natalie D. Thompson  
Natalie D. Thompson  
**Counsel for Carroll ISD**